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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

KLAMATH RIVERKEEPER, a nonprofit
public benefit corporation;
HOWARD McCONNELL;
LEAF G. HILLMAN;
ROBERT ATTEBERY; and
BLYTHE REIS;

Plaintiffs,

v.

PACIFICORP, INC., an Oregon Corporation;

Defendant.

Civil Case No. C 07-06199 WHA

**STIPULATION TO CONTINUE
HEARING DATE;
(proposed) ORDER**

Local Rule 6-2

Current Date: 24 January 2008

Current Time: 8:00am

Place: Courtroom 9, 19th Flr

1 WHEREAS, on 6 December 2007, plaintiffs filed the complaint in this action;

2
3 WHEREAS, on 20 December 2007, rather than answering, defendant moved to dismiss;

4
5 WHEREAS, defendant set the hearing date for the motion for 24 January 2007 at 8:00am, the soonest
6 available date;

7
8 WHEREAS, under Local Rule 7-3(a) and Fed. R. Civ. P. 6(a) plaintiffs' opposition to the motion to
9 dismiss would be due 21 days prior to the hearing, or 3 January 2008;

10
11 WHEREAS, defendant has discovery responses due in the related case, C 07-02382 WHA, on 7 January
12 2008;

13
14 WHEREAS, the parties have agreed to allow their counsel and their families to enjoy the holiday
15 without working on the respective responses;

16
17 WHEREAS, the parties have sought no previous time modifications in this action; and

18
19 WHEREAS, agreeing to continue the hearing on the motion to dismiss and the due date for discovery in
20 the related case will not affect any deadlines set by this Court;

21 THEREFORE:

- 22
- 23 1) The parties stipulate to continue the hearing date on the motion to dismiss from 24 January
24 2008 at 8:00 am, to 14 February 2008 at 8:00 am, or as soon as the Court is available
thereafter, a 21 day continuance;
 - 25 2) The parties stipulate to continue Plaintiffs' opposition brief on the motion to dismiss from 3
26 January 2008, to 24 January;
 - 27 3) The parties stipulate to continue Defendant's reply brief on the motion to dismiss from 10
28 January 2008, to 31 January;

- 1
2 4) The parties stipulate to continue the due date in the related case for Plaintiffs' First Sets of
3 Interrogatories, Document Requests and Requests for Admission from 7 January 2008 to 28
4 January 2008, a 21 day extension.

5 Date: 28 December 2007

/s/ Daniel Cooper

6
7 Daniel Cooper
8 Lawyers for Clean Water, Inc.
9 Attorneys for Plaintiffs

10 Date: 28 December 2007

/s/ Benjamin Horwich

11
12 Benjamin Horwich
13 Latham & Watkins LLP
14 Attorneys for PacifiCorp

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
16 "conformed" signature (/s/) within this efiled document.

17
18 Date: December 30, 2007

/s/ Michael Chappell
19 Michael Chappell
20 Lawyers for Clean Water, Inc.
21 Attorneys for Plaintiffs
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ORDER

Having considered the facts and arguments set forth in the stipulation, the Court hereby orders:

1) The hearing date on the motion to dismiss is reset from:

22 January 2008 at 8:00 am, to

12 February 2008 at 8:00 am, at Courtroom 9, 19th Floor.

and the briefing schedule is adjusted accordingly, consistent with Civ. L.R. 7-3.

IT IS SO ORDERED

Date:

Hon. William H. Alsup
U.S. Dist. Court Judge